

Washington County Land Use Authority Meeting
March 23, 2010
(Recording available)

The Washington County Land Use Authority Meeting was held on Tuesday, March 23, 2010, at the Washington County Administration Building, 197 E. Tabernacle, St. George, Utah. The meeting was convened at 1:30 p.m. by Chairman Stucki. Commissioners present: Kim Ford, Dave Everett, Doug Wilson, Joann Balen, and Rick Jones. Also present: Deon Goheen, Planning & Zoning Administrator; Rachelle Ehlert, Deputy Attorney; John Willie, Senior Planner; Todd Edwards, County Engineer; and Darby Klungervik, Planning Secretary.

Excused: Debora Christopher, Commissioner; Kurt Gardner, Building Official

Absent: Julie Cropper

Audience attendance: Kirk Smith, David Macbeth, Abby Armstrong, Tom Walbom, Brad Sweet, Darrell Johnson, Bob Mason

Chairman Stucki led the audience in the Pledge of Allegiance and explained meeting protocol.

Item #1. SPECIAL MEETING: **STAFF COMMENTS.** Review staff comments for each item listed below. Staff initiated.

Item #2. CONDITIONAL USE PERMIT Request permission to operate a 24 hour therapeutic boarding school "Brookhaven" (Country Living) for young men between the ages of 13 & 17 at Brookside. Michael C. Armstrong, applicant.

The Planner informed the commission that the applicant would like to establish a 24 hour supervised boarding school, with professional staff, within the RE-40.0 zone in Brookside. There is a total of 4 acres consisting of two (2) parcels, one platted within the Pine Valley Mtn. Farms Subdivision and the other as a metes & bounds parcel. They wanted to start with 15 youth, but the septic capacity will only allow for 11 youth and staff. If the septic system is upgraded, then they would want the option to expand. This will be reviewed conditionally as a school; residential facilities for persons with a disability are a permitted use within the RE-40.0 zone. She recommended they also checkout the boarding house definition in the County Code, saying all of this information should be helpful in making your decision.

Commissioner Everett said according to his understanding of the definition of "boarding house" in the county code you cannot have a therapeutic boarding house. He went on to read the following from the County Code (10-4-1):

A "boarding house" does not include a residential facility for disabled persons or a residential facility for the elderly. A boarding house does not include a nonresidential facility such as a rehabilitation/treatment facility, where the primary purpose of the facility is to deliver rehabilitation, treatment, counseling, medical, protective or other similar services to the occupants.

The Planner said the applicant will have to let you know what he is applying for. She explained she included the boarding house definition because that is where she could see the fifteen residents being acceptable. She added, anywhere else the applicant would have to meet the residential numbers as to family members, which is five (5) unrelated people. She noted that 10-4-1 in the County Code also has a definition for Rehabilitation Treatment Facility and it indicates the state licensing that is needed.

Mike Armstrong, applicant, clarified that it is a residential treatment facility and the initial setup he applied for was fifteen (15) children without having to do any type of addition, but under state licensing they have to follow all of their codes and guidelines, therefore, they must take all of that into consideration before they will be able to have any kids in the facility. Mr. Armstrong said he would like to help youth on a smaller scale. The program is designed to have each child for ten (10) months to a year. He would like his facility to represent grandpa's farm, using a farm atmosphere to give the youth an opportunity to develop through basic living, while having an opportunity to obtain an education. He explained that education will be provided. The applicant will be working to get accredited and when they are they will be an actual school under the Northwest Association of Accreditation, but until that time the schooling will be sent out. He explained that they will actually send their papers out to other schools until they have their accreditation. Mr. Armstrong said they will have Dave Macbeth as their clinical director and Mr. Armstrong will be the executive director and they will both be on site until needs be. He informed the commission that their policies and procedures are being developed and about ready to turn into the state and then Kelly Anderson, of licensing, would make sure they have checked with the fire codes, had health inspections and all the other necessary things. He said for now their numbers will stay down until they can expand to an additional fifteen (15) kids and they will then add another septic system.

Commissioner Everett clarified that they are asking to be allowed under the rehabilitation treatment facility, not the boarding house definition. He read the following from the County Code:

REHABILITATION/ TREATMENT FACILITY: A facility licensed by or contracted by the state of Utah to provide temporary occupancy and supervision of individuals (adults/juveniles) in order to provide rehabilitation, treatment or counseling services. Without limitation, such services may include rehabilitation, treatment, counseling or assessment and evaluation services related to delinquent behavior, alcohol and drug abuse, sex offenders, sexual abuse or mental health. Associated educational services may also be provided to juvenile occupants.

Commissioner Wilson asked staff where rehabilitation treatment facility was listed as a permitted use or a conditional use.

The Planner said they would have to review the conditional use permit section. Under the RE zone it would have to be reviewed as a school or a use similar to the conditional uses listed in that district.

Chairman Stucki included it is not specifically listed and referred the commission to the code, which says, "Any use similar to the above and judged by the planning commission to be in harmony with the character and intent of this zone."

Commissioner Balen asked the applicant if the neighbors had been advised of this project.

Mr. Armstrong said the neighbors do not know exactly what they are going to do. He said he has met with some of the neighbors, but he has not given them any detail because he was waiting to meet with this commission.

Commissioner Balen asked the planner what the procedure was for this Conditional Use Permit and if the neighbors had to be notified.

The Planner informed them that there is no notification required under the ordinance, but they have asked the applicant to let the neighbors know as a good neighbor.

Commissioner Balen asked the applicant what category of behavior these kids will be.

David Macbeth, clinical director, explained that they are looking at average troubled teenagers. He said they are not looking for kids who are violent, have any psychiatric disorders, mental illness, or any type of criminal background. He said they are looking for kids who are oppositional defiant, who have parent child relationship problems, adjustments to living problems, who just haven't been able to find their niche in society, so they can get along cooperatively with society. He said they are not looking for hard core kids; they are not going to run a lock down facility. Mr. Macbeth anticipates the kids in this program will be cooperative, responsible, and they will be able to control their behavior with talk therapy and structure. He thinks the facility will be an enhancement to the area. They are going to teach the kids the value of service, work and being a cooperative member of society. He added that they want to have the kids paint fences and anything they can to let the neighbors know they are trying to help the kids know how they can fit in to the community and serve the community. His experience has been that once the neighbors find out what they are offering and have the opportunity to participate, they become very supportive.

In response to the commission, Mr. Armstrong said it is a twenty four (24) hour supervised facility, meaning someone on the staff is awake twenty four hours a day. The kids won't be able to come and go at will. The ratio of staff to youth is one to four. He explained this facility is not for addicts; however, there are very few youth with behavior issues who do not have some type of substance abuse issue.

Mr. Macbeth said they are not a drug and alcohol facility and they do not want to present those types of kids to the community.

The commission asked if the kids will be going to local schools. Mr. Armstrong replied they would not.

The commission asked about first aid and Mr. Armstrong said as a part of the policies and procedures everyone who works there has to be trained in CPR, there is a nursing element, and there is a plan in place in the event of an emergency. He offered to provide a copy of the policies and procedures to the planner. He informed the commission that they will have farm animals to the extent allowed by the zoning, as well as a garden. They have also contacted the sheriff's

office and the sheriff is here today. If one of the kids did run, local authorities would be called. Mr. Armstrong also said this was not like a wilderness program; they may take the youth out for day trips, but they would not camp out.

The Chairman said the commission will need a copy of the policies and procedures. He asked the staff if the property had been inspected by the building official and was informed by the planner that it had not, but it would be when they applied for the business license, adding that the applicant may also need to meet ADA requirements, fire suppression, etc. The Chairman commented on having safety measures in place with the sheriff's office and search and rescue. He clarified that the applicant will just start with a total of eleven (11) staff and children and may later expand the septic to allow for fifteen (15). The applicant may decide later to build another facility on the lot next door to allow for fifteen (15) more children, but will apply for another Conditional Use Permit at that time, depending on how business goes. The applicant said they had no intentions to expand beyond that.

Chairman Stucki asked if the applicant had a contract to reimburse with the sheriff's office.

Kirk Smith, Washington County Sheriff, spoke on behalf of Mike Armstrong. He said he has been out to the site. In reply to the commissioner's previous comments, he said the Sheriff's office will be billing a profit making entity. He said he can testify to Mike's credibility and his love of kids. He said a lot of these programs are big money making operations, where they are dealing with kids whose parents just haven't learned to say no. These kids just don't have any discipline and this is an opportunity to give them some structure and teach the parents that it's okay to tell your kids no and give them some discipline. He believes this program will be a great success and Mike is committed to following the procedures and laws. He does not see any problems as far as the sheriff's department is concerned and the policies and procedures are very well written. In response to the commission, Mr. Smith stated Washington County has not had the problems with these types of facilities that Cedar City has had. He thinks we have done fine and this facility will have a different type of clientele; they will not have sex offenders, they are oppositional defiant kids. He does not see it as being a potential threat in the community or a risk and said the community may also take these kids under their wing.

Dave Everett asked the Deputy Attorney if the use of the terms "therapeutic boarding school" would require the county to readvertise and the Deputy Attorney said no. She explained that the use could fit under a couple of different categories, but it really is a therapeutic school.

Facts/findings:

- **Applicant intends to be licensed by the state**
- **In harmony with the character and intent of the zone and similar to other uses permitted in the zone**
- **Intended use of the property is consistent with the permitted agricultural uses of the zone**
- **The applicant has contacted the sheriffs office to address safety issues**

Motion was made by Commissioner Wilson to recommend approval of the Conditional Use Permit to operate "Brookhaven" a residential treatment center, subject to the applicant receiving their state license, obtaining their business license and all required inspections,

providing a copy of the notice to neighbors to the County and understanding their expansion is subject to the health departments approval of the septic system, based on the facts and findings, for a period of one (1) year. Commissioner Ford seconded the motion, with all five (5) commissioners voting aye.

Item #3. CONDITIONAL USE PERMIT Request permission for an exception to height limitations on a 60' silo and to establish a batch plant at Snowfield rock products, which is an existing gravel crushing operation north of Pintura. Tom Walbom/Granite Construction Company, applicant

The Planner explained the applicant has submitted a packet for the commission review, which would allow the applicant to operate an asphalt plant operation at an existing gravel pit. The gravel use was initially approved in 1999 for Scott Nichols, who opened the existing pit that was used by the state to construct I-15. These types of uses (mining and mineral development) are conditionally approved within the OST-20 Zone and asphalt plants are approved conditionally within the Industrial zone. Whereas, this use is temporary in nature (5 year lease) the commission may want to consider this use as similar and in harmony with the character and intent of the zone. There will need to be an exception to the height requirement, whereas one of the silos is about 60' in height. Access for haul trucks would be from the Snowfield (Ranch) Exit on I-15, with ingress and egress from an existing County or frontage road and a private easement. Sanitation and water needs for dust control will be addressed. The commission should address operating hours and the number of haul trucks. The applicant is in contact with MSHA and EPA on a portable asphalt plant that will be reviewed and monitored when it is in place. The commission will need to make findings. The applicant is present to discuss this item.

Tom Walbom, Environmental Manager for the Utah region, introduced Brad Sweet their regional manager and Mr. Johnson who is the owner of the adjoining property. He hoped the commission had a chance to review their packet because it addressed everything necessary to approve a conditional use permit. He addressed the issue of the height and said they will be doing some additional drainage site development to increase the depth of the floor, so they can have better drainage in to the pit area. Therefore, although the height is sixty (60) feet it will probably be lowered ten (10) feet and they do have the option of buffering with existing stock piles up to twenty (20) feet. He stated that they were asked by staff to engage a neighbor and they did so, they spent most of the morning with Mr. Johnson at his residence reviewing the packet with him and making a commitment to him to be good neighbors and try to minimize every potential impact to him created by their operations. The other concern brought up by the staff was to identify truck traffic patterns and the intention of this facility is to be a commercial facility and primarily to support construction projects Granite Construction is engaged in. Their work is based on supply and demand. He stated that the current facility is permitted in their air quality permit to produce 700,000 tons of aggregate per year and by adding the asphalt plant to it they will not be intensifying that, in fact their application is for 500,000 tons of capacity, which will come out of the 700,000 tons already permitted. Mr. Walbom said there will be days when there is no traffic and days when traffic can be relatively significant, up to a maximum of one hundred (100) truck trips a day. Last he said staff was concerned about the hours of operation. He noted DOT now requires highway road work be done at night for the traveling public's convenience and safety; therefore, although, they will be doing mostly day time hours, if they have a contract that requires night paving they will be running at night.

The commission stated when they approved the gravel operation at this sight they expressed concern about the merge problems they will have with the short on ramp and they did clear the area off to improve visibility, but they would like to see some type of warning sign for people coming off the ridge.

The applicant said they would be willing to do that if they could get it approved by DOT.

Darrell Johnson, resident, said he has lived on the Blackridge for eleven (11) years and he has seen a lot of accidents and they are usually 500 yards north of the ramps.

Robert Mason, citizen, said he worked for DOT for fourteen (14) years and neither of the on ramps meet current safety standards for acceleration length. He said the County may want to look at that to minimize their liability.

Todd Edwards, County Engineer, said he works with UDOT a lot and this is one of their top priorities, not just this ramp but all the ramps north of Washington City. He stated staff did not think it was necessarily an increase because they are not increasing the number of trucks going in and out of there. Whether they have 700,000 tons of just gravel or 700,000 tons of gravel and asphalt combined, the amount of traffic will remain the same. Also, UDOT is already in the process of addressing those ramps.

Mr. Walbom said emissions are regulated by the clean air act and they will have to demonstrate to the department of air quality that they are below air quality standards. He agreed there is a slight aroma. He informed the commission that this plant is a portable 60' silo which receives asphalt, is insulated, keeps the asphalt warm and then loads the trucks. He reviewed figure six (6) from his submitted packet with them. He stated their intent is to make a zero discharge facility and this tower is top of the line. Lower silos are available, but the air quality is not always as good. He said technically this is not a building, rather a piece of equipment.

Brad Sweet said the tower can fill three (3) forty (40) ton trucks.

Mr. Walbom added four hundred (400) tons can be made per hour.

Mr. Johnson, neighbor, told the commission that he is not really happy with it, but there is nothing he can do about it. He and his wife only live there half of the year, the rest of the year they are in Bloomington. He stated they have several concessions from Granite, including the fact that they will not mine within two (2) acres of his property.

Facts/findings:

- **In harmony with the character and intent of the zone and similar to other uses conditionally permitted**
- **The sixty (60) foot tower is the standard of the industry based on the testimony of the applicant**
- **The applicant is in compliance with the EPA and MSHA**
- **The use complies with all applicable provisions of Washington County ordinances, state and federal law**

- The use is not detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity and the applicant will work with UDOT to mitigate any potential risks that may arise due to trucks entering and exiting highway
- The use is consistent with the characteristics and purposes stated in the general plan, as amended
- Traffic safety conditions are not adversely affected by the use. The existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets shall be reviewed
- Utility capacity is adequate
- Emergency access is adequate
- The location and design of parking both on site and off street is adequate
- Exterior lighting is adequate and does not unduly disturb the surrounding area
- Signage is adequate and in compliance with title 10, chapter 19 of this code
- Requirements for the management and maintenance of facilities is adequate
- The use does not result in a situation which will create a need for essential services which cannot be reasonably met by local service providers, including roads and access for emergency vehicles and residents; fire protection; police protection; schools and school busing; drinkable water; sewer; storm drainage; and garbage removal
- Noise and dust pollution shall not negatively impact surrounding uses in existence at the time the conditional use is approved by the county commission.
- Road ingress and egress are sufficient to allow safe travel for vehicle and pedestrians surrounding the conditional use
- The hours of operation for crushing, processing or hauling aggregate do not significantly negatively impact surrounding uses in existence at the time the conditional use is granted. There may be restrictions on the hours of operation and roads available for the conditional use in areas where there are schools or residences in close proximity to the operation
- A plan for reclamation of land that complies with all applicable provisions of Washington County ordinances, state and federal law

Motion was made by Commissioner Balen to recommend approval for the Conditional Use Permit to establish a batch plant at the Snowfield Exit, subject to the applicant working with UDOT to mitigate safety issues and complying with all state and federal laws, based on the facts and findings, for a period of one (1) year. Commissioner Ford seconded the motion, with all five (5) commissioners voting aye.

Item #4. WORK MEETING: DISCUSSION ITEM/ORDINANCE ADOPTION. Review and recommend implementation of pending Land Use Ordinance adoption Wind Energy Systems and Facilities to establish minimum requirements and regulations on such systems. County initiated

The Planner asked the commission to recall reviews of this ordinance in work meetings in January and February. She said suggested corrections have been made to the Iron County Ordinance. The commission may recall that the Washington County Commission has a concern

that we will have a proliferation of individual units for personal use. Mr. Gerald Sieren provided a copy of his recommendations for the County to adopt and the Commission reviewed each item, deleting several. This will be combined with the revised version of what was taken from the Iron County Ordinance on small wind energy systems. The commission will need to review revised documentation and look at possible changes to Iron County's ordinance on large commercial use, and overlays. As reviewed previously, Washington County will be adopting a wind energy ordinance, whereas, there is more interest and tax incentives in developing "green energy resources", as the county population grows and develops. The chairman made a statement at the October 9, 2009 meeting announcing the intent to implement the ordinance, which allows for a six (6) month moratorium on Wind Energy and we are getting close to our 6th month of review, April 9, 2010. If the commission agrees, staff felt these changes could be reviewed by going directly to the advertising process for a hearing on April 13th.

Robert Mason informed the commission that in 10.25.030 A (a), having four small wind energy systems, would essentially be a large system. He said he interpreted it as the commission making an exception, which he thought would be okay.

In reviewing chapter 25 Wind Energy Systems and Facilities the commission decided to make the following changes:

- 10.25.020 (F) Change the last sentence to, "A small wind energy system is one or more wind energy conversion systems with a rated capacity of up to 100kw"
- 10.25.030 delete as described in section 10.25.030, and in accordance with the following, only one small wind energy system may be authorized per lot, with the following exceptions, and all of (A) (a) and (b)
- 10.25.030 (B), delete the paragraph following minimum lot size and replace it with, "minimum lot size will be determined by the fall zone"
- 10.25.040 (D) (7) Alter the first sentence to read, "The applicant shall meet all State and Federal guidelines, laws, and regulations" and delete the remainder of the paragraph

The commission and staff discussed federal and state regulations, using endangered species as an example, and the role it would play on private land and it was decided that even on private land it is important the applicant abides by State and Federal guidelines or it could create liability for the County.

The staff and commission agreed it was ready to advertise this item for a public hearing.

Item #5. DISCUSSION ITEM/ORDINANCE AMENDMENT. Review possible changes to Chapter 18 Conditional Use issues on advertising, posting or other methods to notify adjacent property owners. County initiated.

The Planner noted this ordinance amendment is in keeping with suggestions from the commission at our previous work meeting. There may need to be changes to the notification process in areas where cellular towers are located or for other types of uses. It has been suggested by staff that the commission may want to consider listing types of uses "permitted" without notification. A packet will be provided to the applicant as to the standards & procedures of notification. If the commission agrees, staff felt these changes could be reviewed by going directly to the advertising process for a hearing on the 13th of April.

Rachelle Ehlert, Deputy Attorney, said if the applicant can meet the requirements of the county code and mitigate any detrimental effects that can be perceived, they can be approved and because of that we should follow the noticing requirements of the state. She stated the County does not need to do additional posting, advertising, or anything else.

Chairman Stucki said the neighbors have a right to know what is going in next door.

The Deputy Attorney agreed that the residents have the right to know what is going on in their neighborhood and we provide for that according to state law. However, unless they can prove a detrimental harm, that cannot be mitigated, the applicant will be approved regardless of what they have to say. She asked the commission if the County needs to personally notify all the neighbors within a specified distance or if it is enough to follow state regulations and make it the residents responsibility to view the information online or at one of the posted locations.

The Planner explained the process for a zone change, including advertising and notice.

Robert Mason pointed out the notification requirements in the proposed wind energy ordinance and said he would like to receive notification if a large wind system was being built near his home.

The commission said it would be too cumbersome to require all conditional use permit requests to meet a stricter guideline for notification. The commission discussed the possibility of requiring notice for certain conditional use permits, such as cell towers, while exempting others. It was a concern that discrimination may become an issue and having all conditional use permits provide more notice was unrealistic. The extra expense to the County was discussed and the possibility of making it the applicants responsibility. Although the commission was inclined to notify people, saying they themselves would want notification, a feasible way to determine which conditional use permits the additional notification would apply to could not be sought. The possibility of having the applicant post a sign on the proposed property was discussed. It was noted that events would have to be excluded from any posting requirements. The Deputy Attorney said she would do a little more research and report back to the commission.

Item #6. DISCUSSION ITEM/ORDINANCE AMENDMENT. Review possible changes to Chapter 9, Section 10-9-6: PDR Planned Residential development district: C. Conditional Uses: 2. Cemeteries; and Chapter 18, Section 10-18-6: Planning Commission Action: A. Conditional Use Standards of Review: 2. Specific Review Standards For Certain Conditional Uses: Cemeteries: a, b, & c. County initiated.

The commission decided to move this to the next work meeting due to time constraints.

Item #7. STAFF DECISIONS. Review of decisions from the Land Use Authority Staff Meeting held on March 16, 2010. County initiated

The staff meeting convened at 9:30 a.m. Staff Members Present: Deon Goheen, Planning & Zoning Administrator; Kurt Gardner, Building Official; Todd Edwards, County Engineer; Darwin Hall, Ash Creek Special Service District Director; Tina Esplin, Washington County

Water Conservancy District; Paul Wright, Department of Environmental Quality; and Robert Beers, Southwest Utah Public Health Department.

Excused: Ron Whitehead, Public Works Director and Rachelle Ehlert, Deputy Civil Attorney

CONDITIONAL USE PERMIT EXTENSION:

A. Review extension on building a 2nd dwelling for a family member within the A-20 zone northeast of Enterprise. John Alger, applicant.

This is the 4th extension. The applicant previously met the requirements for the Conditional Use Permit by submitting a site plan, septic permit and quantity and quality on a private well. Second dwellings are conditionally approved within the OST-20 zone, with this property containing a total of 80 acres. The property is accessed from Hwy 18 to Mine Rd. (350 East) and onto a prescriptive use road 900 North, generally located northeast of Enterprise and site plan meets all setback requirements. **No permit has been issued as yet, so the staff granted an extension of the Conditional Use for another year, whereas, the initial work that went into applying for the conditional use should be enough to keep the permit active.**

B. Request permission for an addition to the Pine Valley Fire Station for the Pine Valley Special Service District (PVSSD) in Pine Valley. Dall Winn, applicant

As previously reviewed, the planner advised that a discussion item was reviewed by the Planning Commission with a unanimous agreement by the members that the planning staff take on the review process for this item to allow for the approvals to be granted by March 17, 2009. The building department authorized final occupancy on August 25, 2009. The applicant had previously met the requirements for the site plan, elevations, parking, and septic for the addition. Water and power connections are existing. An additional fire hydrant will be added for training purposes. The fire station is located on a nine (9) acre parcel leased from the Forest Service, which has frontage on Main Street in Pine Valley. The PVSSD has just completed the approval process with the Forest Service. The County previously approved a variance to the front yard setback requirements by waiving 10 feet, due to snow removal and access to bays on the original firehouse, so the PVSSD has designed this addition showing the same setback. **Unanimous decision from staff to recommend approval for a Conditional Use Permit Expansion to the Pine Valley Fire Station for the Pine Valley Special Service District in Pine Valley based on permanent status.**

CONDITIONAL USE PERMIT:

A. Request permission for three (3) cabins for family members as a recreational facility on 60.67 acres, within the A-20 zone near New Harmony. Diamond H. Ranch LLC./ Barry Bunker, agent.

The applicant meets most of the requirements for the 2nd (3 cabins) dwelling units by submitting a site plan, foundation plan, an approved septic system from the Southwest Utah Public Health Department and water testing on a private well system. The planner indicated that there are two existing dwellings approved and one accessory dwelling, upon purchase of Mr. Mc Donald's land three (3) existing farms houses were demolished. These three (3) cabin structures will be used for family members for recreational use. There will be no kitchen or bathrooms, just sleeping quarters. An existing restroom facility will be utilized and the septic system has been

upgraded. This application meets the density requirement of 2 units per 20 acres. Ash Creek Special Sewer District Manager indicated that he was in approval with the density requirements for this area, with the applicant having 60 acres. The planner advised that 2nd dwellings are conditionally approved within the A-20 zone. The property is accessed from Mc Donald Road south of New Harmony. The site plan meets all setback requirements and flood elevations, with the units being raised another foot by adding to the support/foundation pillars. **The staff decided to grant approval of the Conditional Use Permit, subject to the applicant obtaining and submitting flood study calculations on elevations for Todd Edwards, County Engineer and office files, whereas, Alpha Engineering has already completed the work.**

Item # 8. COUNTY COMMISSION ACTION REVIEW Review of action taken by the County Commission on Planning Items. County initiated.

The Planner reviewed action taken on Planning Items by the Washington County Commission on March 16, 2010, beginning at 4:00 p.m.: (a) Ordinance amendment to the Washington County Land Use (Zoning) Ordinance, Title 10, Chapter 8.D.3. Residential Estates Zone: CUP B&B notification and she said it was approved as per the Planning Commissions recommendations.

Item # 9. COMMISSION & STAFF REPORTS: General reporting on various topics. County initiated.

There being no further business at 4:50 p.m., Chairman Stucki adjourned the meeting.

Darby Klungervik, Planning Secretary